

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA \* CRIMINAL DOCKET NO. 07-410

V. \* SECTION: "R" (1)

GUSTAVO ADOLFO LAZO-MARTINEZ \*

\* \* \*

**FACTUAL BASIS**

\_\_\_\_\_Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

In or about early November, 2007, agents of the Federal Bureau of Investigation (FBI) and United States Immigrations and Customs Enforcement (ICE), learned that **GUSTAVO ADOLFO LAZO-MARTINEZ**, a previously deported alien, was back in the United States working in the St. Bernard Parish area. On November 9, 2007, Lazo-Martinez was arrested by St. Bernard Parish Sheriff's deputies and later transferred into ICE custody.

A Warrant of Removal/Deportation, complete with the defendant's fingerprints and signature shows that the defendant, **GUSTAVO ADOLFO LAZO-MARTINEZ** was deported from the United States to Honduras on September 25, 2006 pursuant to an order of deportation. Specifically, he had been convicted of entering the United States at Del Rio, Texas and was sentenced to 90 days. A fingerprint analysis match would prove that **LAZO-MARTINEZ** is the same individual who was deported on September 25, 2006. Photographs reflecting a distinctive scar on **LAZO-**

**MARTINEZ**'s forehead further confirm his identity. **LAZO-MARTINEZ** admitted that he was born in Tegucigalpa, Honduras on September 17, 1983 and that he re-entered the United States on or about February 15, 2007 at or near Lukeville, Arizona.

The defendant, **LAZO-MARTINEZ**, did not receive consent from the United States Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for readmission to the United States since the time of the defendant's previous deportation.

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MICHAEL W. MAGNER  
Assistant United States Attorney

Date

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GUSTAVO ADOLFO LAZO-MARTINEZ  
Defendant

Date

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VALERIE W. JUSSELIN  
Assistant Federal Public Defender  
Attorney for Defendant \_\_\_\_\_

Date